

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

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Sergio Massey, #301670,

Petitioner,

v.

Jon Ozmint, Director Dept. of  
Corrections; and Tim Riley,  
Interim Warden of Perry  
Correctional Institution,

Respondents.

DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON, SC  
Civil Action No. 9:08-2666-SB

**ORDER**

This matter is before the Court on the *pro se* Petitioner's request for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pursuant to Local Rule 73.02(B)(2)(a), this matter was referred to a United States Magistrate Judge for preliminary review.

On March 10, 2009, the Magistrate Judge issued a report and recommendation ("R&R"), analyzing the issues and recommending that the Court grant the Respondents' motion for summary judgment. Attached to the R&R was a notice advising the Petitioner that he may file specific, written objections to the R&R within ten days after being served with a copy. To date, no written objections have been filed.

Absent timely objection from a dissatisfied party, a district court is not required to review, under a *de novo* or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriner's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because no objections have been filed, the Court need not conduct a *de novo* review of any portion of the R&R. Accordingly, the Court hereby adopts the Magistrate Judge's R&R as the Order of this Court, and it is

**ORDERED** that the Respondents' motion for summary judgment (Entry #15) is granted, and the Petitioner's § 2254 petition is dismissed with prejudice.

**IT IS SO ORDERED.**



The Honorable Sol Blatt, Jr.  
Senior United States District Judge

April 2, 2009  
Charleston, South Carolina

